

Training, sent to the Senate by the President on September 2, 1997, be referred jointly to the Committees on Labor and Human Resources and Veterans' Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR REPRINT OF S. 1149

Mr. GORTON. On behalf of Senator GRASSLEY, Mr. President, I ask unanimous consent that technical errors in S. 1149 which Senator GRASSLEY introduced On September 4, 1997, be corrected, and that the bill be reprinted as corrected. These changes are purely technical in nature. I have attached a copy of S. 1149 with the changes made for the convenience of my colleagues. I ask unanimous consent the corrected bill be reprinted in the RECORD following these remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Investment in Education Act of 1997".

SEC. 2. TREATMENT OF CERTAIN LIENS.

(a) TREATMENT OF CERTAIN LIENS.—Section 724 of title 11, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by inserting "(other than to the extent that there is properly perfected unavoidable tax lien arising in connection with an ad valorem tax on real or personal property of the estate)" after "under this title";

(2) in subsection (b)(2), after "507(a)(1)" and before the comma following thereafter insert "(except that such expenses, other than claims for wages, salaries or commissions which arise after the filing of a petition, shall be limited to expenses incurred under Chapter 7 of this title and shall not include expenses incurred under Chapter 11 of this title)"; and

(3) by adding at the end the following:

"(e) Before subordinating a tax lien on real or personal property of the estate which has arisen by virtue of state law, the trustee shall—

"(1) exhaust the unencumbered assets of the estate; and

"(2) in a manner consistent with section 506(c) of this title, recover from property securing an allowed secured claim the reasonable, necessary costs and expenses of preserving or disposing of that property.

"(f) Notwithstanding the exclusion of ad valorem tax liens set forth in this Section, claims for wages, salaries and commissions entitled to priority under Section 507(a)(3) or claims for contributions to an employee benefit plan entitled to priority under 507(a)(4) may be paid from property of the estate which secures a tax lien, or the proceeds of such property subject to the requirements of Subsection 724(e)."

(b) DETERMINATION OF TAX LIABILITY.—Section 505(a)(2) of title 11, United States Code, is amended—

(1) by striking "or" at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B) and inserting "; or"; and

(3) by adding at the end the following:

"(C) the amount or legality of any amount arising in connection with an ad valorem tax real or personal property of the estate if the applicable period for contesting or redetermining that amount under any law (other than a bankruptcy law) has expired."

SEC. 3. ENFORCEMENT OF CHILD AND SPOUSAL SUPPORT.

Section 522(c)(1) of title 11, United States Code, is amended by inserting "provided that, notwithstanding any federal or state law relating to the enforcement of liens or judgments on exempted property, exempt property shall be liable for debts of a kind specified in Section 523(a)(5) of this title," at the end of the subsection.

REFERRAL OF S. 1124

Mr. GORTON. I ask unanimous consent S. 1124 be discharged from the Judiciary Committee and referred to the Labor Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

REFERRAL OF SENATE CONCURRENT RESOLUTION 49

Mr. GORTON. I ask unanimous consent Senate Concurrent Resolution 49 be discharged from the Governmental Affairs Committee and be referred to the Rules Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT OF 1966

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1420, which was received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1420) to amend the National Wildlife Refuge System Administration Act of 1966, to improve the management of the National Wildlife Refuge System.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 1129

(Purpose: To improve the bill)

Mr. GORTON. Mr. President, I send an amendment to the desk on behalf of Senator CHAFEE and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for Mr. CHAFEE, for himself, Mr. GRAHAM, and Mr. KEMPTHORNE, proposes an amendment numbered 1129.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 4, line 11, insert "wildlife-dependent recreational use or any other" after "means a".

On page 11, line 19, strike "and".

On page 11, strike lines 22 and 23 and insert the following:

fish and wildlife agencies during the course of acquiring and managing refugees; and

"(N) monitor the status and trends of fish, wildlife, and plants in each refuge."

On page 15, line 8, before the semicolon, insert the following: "except that, in the case of any use authorized for a period longer than 10 years (such as an electric utility right-of-way), the reevaluation required by this clause shall examine compliance with the terms and conditions of the authorization, not examine the authorization itself".

Mr. CHAFEE. Mr. President, I have introduced this amendment to H.R. 1420, the National Wildlife Refuge System Improvement Act of 1997 on behalf of myself, Senator KEMPTHORNE, and Senator GRAHAM. This bill recently passed the House by the remarkable vote of 407 to 1.

Last week, I, along with Senators KEMPTHORNE and GRAHAM, introduced S. 1059 as a companion bill, and on July 30, the Committee on Environment and Public Works held a hearing to solicit views on this bill from the Secretary of the Interior, among others. The hearing was very productive, and reaffirmed the widespread support that exists for this legislation. The amendment that I am offering includes narrow, but important, changes to the House version that clarify several provisions, and that have been agreed to by the administration, the House Resources Committee, and the stakeholders involved in the earlier negotiations.

This legislation is long overdue and very much needed. The National Wildlife Refuge System was started in 1903 by President Theodore Roosevelt, with the establishment of the first refuge on Pelican Island in Florida. It has since evolved into a system of Federal lands consisting of 509 refuges in 50 States, covering 92 million acres, for the conservation of fish, wildlife, and plants. Despite 60 years of growth, however the refuge system remained without a law governing its administration until 1966, when Congress passed the National Wildlife Refuge System Administration Act. Even now, almost a century later, there is no law that identifies a mission or articulates guidance for refuge management.

For several years, both sides of the aisle and both sides of the Capitol have attempted to enact legislation to rectify this situation. The President has also taken administrative steps for improving refuge management with an Executive order issued in March 1996. Earlier this year, after a month of negotiations among a broad range of stakeholders, the House passed H.R. 1420, which was then referred to the Senate.

After discussions here in the Senate, we have this amendment that makes narrow but important changes to H.R. 1420, and that clarifies the intent expressed by the House in the report of the Committee on Resources and in deliberation on the floor. The first two provisions of the amendment were